



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,519	02/04/2002	Stephen Russel Falcon	MS1-901US	7210

7590 10/05/2005
LEE & HAYES, PLLC
SUITE 500
421 W. RIVERSIDE AVE.
SPOKANE, WA 99201

EXAMINER	
ARMSTRONG, ANGELA A	
ART UNIT	PAPER NUMBER
2654	

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/067,519	Applicant(s) FALCON ET AL.	
	Examiner Angela A. Armstrong	Art Unit 2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-13 and 15-38 is/are rejected.
- 7) ☒ Claim(s) 5 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-4, 6-13, and 15-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Cox (US Patent No. 6,192,339).

Cox discloses a mechanism for managing multiple speech applications.

2. Regarding claim 1, Cox discloses a speech system (Figure 2), comprising: a speech server (Figure 2); an interaction object that is callable by one or more speech-enabled applications to enable a speech-enabled application to submit an interaction to the speech server (Figures 5-7; col. 5, lines 36-45; col. 6, line 47 to col. 7, line 48); an interaction manager configured to prioritize interactions submitted to the speech server by ordering the interactions in an interaction list, the interaction list having a front and an end, wherein an interaction at the front of the interaction list is processed before other interactions in the interaction list are processed (Figures 5-7; col. 5, lines 36-45; col. 6, line 47 to col. 7, line 48); and wherein the interaction manager places an interaction received from a speech-enabled application at the end of the interaction list unless the interaction manager detects an indication to place the interaction received from the speech-enabled application at the front of the interaction list ahead of other interactions in the interaction list (col. 6, line 65 to col. 7, line 48).

Regarding claim 2, Cox discloses the interaction manager places the interaction received from the speech-enabled application at the front of the list if the interaction manager detects an interruption flag in the interaction received from the speech-enabled application (col. 5, line 36-col. 7, line 48).

Regarding claim 3, Cox discloses the interaction manager interrupts an interaction currently processing when the interaction is placed at the front of the list, and the interrupted interaction resumes processing after the interrupting interaction is processed (col. 7, lines 42-45).

Regarding claim 4, Cox discloses the interaction manager interrupts an interaction currently processing when the interaction is placed at the front of the list, and the interrupted interaction does not resume processing after the interrupting interaction is processed (col. 7, lines 40-42).

Regarding claim 6, Cox discloses the interaction manager does not interrupt an interaction currently processing when the interaction is placed at the front of the list, but processes the interrupting interaction after the currently processing interaction has completed processing if the currently processing interaction will conclude processing in less than a predetermined period of time (col. 5, lines 45-48).

Regarding claim 7, Cox discloses the interaction manager only interrupts an interaction currently processing if the currently processing interaction will not conclude processing for more than a predetermined period of time (col. 5, lines 45-48).

Regarding claim 8, Cox discloses the interaction manager provides feedback to a speech-enabled application that has submitted an interaction in the interaction list, the feedback

Art Unit: 2654

indicating a status of the processing of the interaction submitted by the speech-enabled application (col. 7, line 64 to col. 8, line 5).

Regarding claim 9, Cox discloses the indication to place the interaction at the front of the interaction list comes from the speech-enabled applications (col. 6, lines 18-33).

Regarding claim 10, Cox discloses a speech engine that communicates with the speech server through a speech application-programming interface (Figures 2, 5-7; col. 5, line 1 to col. 7, line 48).

Regarding claim 11, Cox discloses a table of attributes associated with a grammar used by a speech-enabled application that has submitted an interaction to the speech system (col. 6, lines 18-33).

Regarding claim 12, Cox discloses a master grammar table that contains a table of attributes for each of one or more grammars that are used by the speech-enabled applications (col. 6, lines 18-33).

Regarding claim 13, Cox discloses the interaction manager provides a grace period after processing a first interaction before beginning to process a second interaction (col. 7, lines 29-48).

Regarding claims 15-38: claims 15-38 are similar in scope and content to claims 1-4 and 5-13 and are therefore rejected under similar rationale.

Allowable Subject Matter

3. Claims 5 and 14 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5. Johnson (US Patent No. 5,748,974) discloses multimodal natural language interface for cross-application tasks.

Cote et al (US Patent No. 6,125,347) discloses a system for controlling multiple user application programs by spoken input.

Balakrishnan (US Patent No. 6,233,559) discloses speech control of multiple applications using applets.

Jacklin et al (US Patent No. 5,838,969) discloses a system and method for collecting and dispatching selected events in a computer application program.

Art Unit: 2654

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela A. Armstrong whose telephone number is 571-272-7598. The examiner can normally be reached on Monday-Thursday 11:30-8:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Angela A Armstrong
Examiner
Art Unit 2654

AAA
September 30, 2005

Angela Armstrong